

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

CARLOS KALMAR, et al.

Plaintiff(s)

v.

CLEVELAND INSTITUTE OF MUSIC, et al.

Defendant(s)

Civil Action No. 1:24-cv-193

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CLEVELAND INSTITUTE OF MUSIC
c/o Brian Foss, Registered Agent
11021 East Blvd.
Cleveland, OH 44106

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nicholas A. DiCello
Dennis R. Lansdowne
Michael P. Lewis
Spangenberg Shibley & Liber LLP
1001 Lakeside Ave. East, Suite 1700
Cleveland, OH 44114

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

s/ A. Faluski

Date:

2/1/2024



Signature of Clerk or Deputy Clerk

Civil Action No. 1:24-cv-193

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* The Cleveland Institute of Music
 was received by me on *(date)* 2/1/2024 .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Brian Foss, Registered Agent, who is
 designated by law to accept service of process on behalf of *(name of organization)* The Cleveland Institute of Music
 by U.S. Certified Mail Signature Return Receipt Requested on *(date)* 2/8/2024 ; or
 (Tracking No. 9214 8901 9403 8347 4703 22)

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 2/20/2024

/s/ Nicholas A. DiCello

Server's signature

Nicholas A. DiCello, Attorney for Plaintiffs

Printed name and title

1001 Lakeside Ave. E Ste. 1700, Cleveland, OH 44114

Server's address

Additional information regarding attempted service, etc:



POSTAL SERVICE™

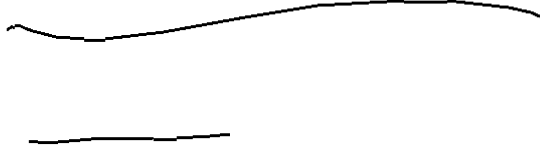
Mailer: Spangenberg Shibley & Liber LLP

Date Produced: 02/09/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8347 4703 22. Our records indicate that this item was delivered on 02/08/2024 at 11:23 a.m. in CLEVELAND, OH 44106. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

THE CLEVELAND INSTITUTE OF MUSIC
C/O: BRIAN FOSS REGISTERED AGENT
11021 EAST BLVD
CLEVELAND OH 44106-1705

Customer Reference Number: C4778032.28668153

Northern District of Ohio

Defendant(s)

Civil Action No. 1:24-cv-193

The seal of the United States District Court for the Northern District of Ohio. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. Above the eagle's head is a constellation of stars. The entire emblem is encircled by the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF OHIO" at the bottom.

Civil Action No. 1:24-cv-193

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Vivian Scott
 was received by me on *(date)* 2/1/2024 .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Vivian Scott, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____

by U.S. Certified Mail Signature Return Receipt Requested on *(date)* 2/8/2024 ; or
 (Tracking No. 9214 8901 9403 8347 4703 77)

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 2/20/2024

/s/ Nicholas A. DiCello

Server's signature

Nicholas A. DiCello, Attorney for Plaintiffs

Printed name and title

1001 Lakeside Ave. E Ste. 1700, Cleveland, OH 44114

Server's address

Additional information regarding attempted service, etc:



POSTAL SERVICE

Mailer: Spangenberg Shibley & Liber LLP

Date Produced: 02/09/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8347 4703 77. Our records indicate that this item was delivered on 02/08/2024 at 03:50 p.m. in CLEVELAND, OH 44105. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

VIVIAN SCOTT
13413 ALVIN AVE
GARFIELD HTS OH 44105-7111

Customer Reference Number: C4778032.28668154

Northern District of Ohio

Defendant(s)

The seal of the United States District Court for the Northern District of Ohio. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. Above the eagle's head is a constellation of stars. The entire emblem is encircled by the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF OHIO" at the bottom.

Civil Action No. 1:24-cv-193

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Scott Harrison
was received by me on *(date)* 2/1/2024 .

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Scott Harrison, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
by **U.S. Certified Mail Signature Return Receipt Requested** on *(date)* 2/8/2024 ; or
(Tracking No. 9214 8901 9403 8347 4704 07)

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 2/20/2024

/s/ Nicholas A. DiCello
Server's signature

Nicholas A. DiCello, Attorney for Plaintiffs
Printed name and title

1001 Lakeside Ave. E Ste. 1700, Cleveland, OH 44114
Server's address

Additional information regarding attempted service, etc:



POSTAL SERVICE

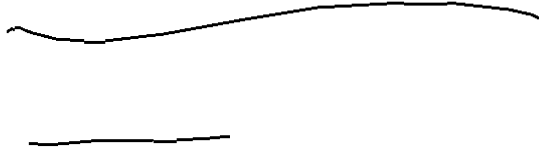
Mailer: Spangenberg Shibley & Liber LLP

Date Produced: 02/09/2024

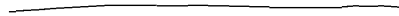
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8347 4704 07. Our records indicate that this item was delivered on 02/08/2024 at 11:23 a.m. in CLEVELAND, OH 44106. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

SCOTT HARRISON
C/O: THE CLEVELAND INSTITUTE OF MUSIC
11021 EAST BLVD
CLEVELAND OH 44106-1705

Customer Reference Number: C4778032.28668155

Northern District of Ohio

Defendant(s)

Civil Action No. 1:24-cv-193

The seal of the United States District Court for the Northern District of Ohio. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. Above the eagle's head is a constellation of stars. The entire emblem is encircled by the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF OHIO" at the bottom.

Civil Action No. 1:24-cv-193

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Dean Southern
 was received by me on *(date)* 2/1/2024 .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Dean Southern, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 by U.S. Certified Mail Signature Return Receipt Requested on *(date)* 2/8/2024 ; or
 (Tracking No. 9214 8901 9403 8347 4704 90)

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 2/20/2024

/s/ Nicholas A. DiCello

Server's signature

Nicholas A. DiCello, Attorney for Plaintiffs

Printed name and title

1001 Lakeside Ave. E Ste. 1700, Cleveland, OH 44114

Server's address

Additional information regarding attempted service, etc:



**UNITED STATES
POSTAL SERVICE**

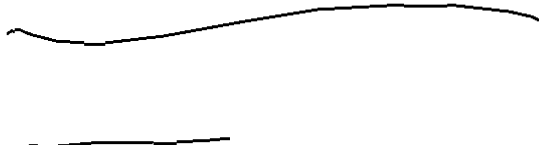
Mailer: Spangenberg Shibley & Liber LLP

Date Produced: 02/09/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8347 4704 90. Our records indicate that this item was delivered on 02/08/2024 at 11:23 a.m. in CLEVELAND, OH 44106. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

DEAN SOUTHERN
C/O: THE CLEVELAND INSTITUTE OF MUSIC
11021 EAST BLVD
CLEVELAND OH 44106-1705

Customer Reference Number: C4778032.28668156

Northern District of Ohio

Defendant(s)

Civil Action No. 1:24-cv-193

The seal of the United States District Court for the Northern District of Ohio. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. Above the eagle's head is a constellation of stars. The entire emblem is encircled by the text "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF OHIO" at the bottom.

Civil Action No. 1:24-cv-193

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Paul Hogle
was received by me on *(date)* 2/1/2024 .

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Paul Hogle , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
by U.S. Certified Mail Signature Return Receipt Requested on *(date)* 2/8/2024 ; or
(Tracking No. 9214 8901 9403 8347 4705 37)

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 2/20/2024

/s/ Nicholas A. DiCello
Server's signature

Nicholas A. DiCello, Attorney for Plaintiffs
Printed name and title

1001 Lakeside Ave. E Ste. 1700, Cleveland, OH 44114
Server's address

Additional information regarding attempted service, etc:



**UNITED STATES
POSTAL SERVICE**

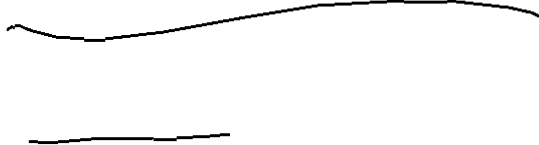
Mailer: Spangenberg Shibley & Liber LLP

Date Produced: 02/09/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8347 4705 37. Our records indicate that this item was delivered on 02/08/2024 at 11:23 a.m. in CLEVELAND, OH 44106. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PAUL HOGLE
C/O: THE CLEVELAND INSTITUTE OF MUSIC
11021 EAST BLVD
CLEVELAND OH 44106-1705

Customer Reference Number: C4778032.28668157